



## **PLANNING DIRECTOR'S HEARING AGENDA**

**WEDNESDAY, September 20, 2006**

9:00 a.m.  
City Council Chambers  
City Hall

200 East Santa Clara Street  
San Jose, California 95113-1905

### **Hearing Officers**

**Susan Walton, Principal Planner**

**Mike Enderby, Acting Principal Planner**

**Joseph Horwedel, Acting Director  
Planning, Building, and Code Enforcement**

## NOTE

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, we ask that you call (408) 535-7800 (VOICE), 294-9337 (TTY) at least two days, (48 hours) before the meeting. If you requested such an accommodation and have not already identified yourself to the technician seated at the staff table, please do so now. If you did not call in advance and do now need assistance, please see the technician.

## NOTICE TO THE PUBLIC

Good morning, this is the Planning Director's Hearing of **September 20, 2006**. My name is \_\_\_\_\_ and I am the Hearing Officer for today's agenda. On behalf of the Planning Director, I would like to welcome you to this Public Hearing. Please remember to turn off all cell phones and pagers. A copy of the agenda is available on the table by the door for your convenience. A validation machine is available up the stairs at the rear of these chambers for parking tickets for the garage underneath City Hall.

The procedure for this hearing is as follows:

- Hearing Officer will identify the project as described on the agenda
- Staff report
- After the staff report, applicant and/or representative will have up to 5 minutes to speak and should make themselves known as their item comes up by approaching the microphone and identifying themselves and stating their home address, or just wave from the audience if you do not wish to speak
- Public testimony of up to 2 minutes, either for or against the project. Please state name and home address for the record
- After the public testimony, the applicant may make closing remarks of up to 5 minutes
- The Hearing Officer may ask questions of the speaker
- The public hearing will then be closed and the Hearing Officer will take action on the item. The Hearing Officer may request staff to respond to the public testimony, ask staff questions, and discuss the item

**If you challenge these land use decisions in court, you may be limited to raising only those issues you or someone else raised at this public hearing or in written correspondence delivered to the City at, or prior to, the public hearing.**

**The Planning Director's action on these agenda items is final when the permit is signed and mailed, unless the permit is appealed.** The Planning Director's actions are appealable in accordance with the requirements of Title 20 of the Municipal Zoning Code.

**Note:** If you have any agenda changes, please contact Gina Robles ([gina.robles@sanjoseca.gov](mailto:gina.robles@sanjoseca.gov)).

## **AGENDA**

### **ORDER OF BUSINESS**

#### **1. DEFERRALS**

Any item scheduled for hearing this morning for which deferral is being requested will be taken out of order, to be heard first on the matter of deferral. A list of staff recommended deferrals is available on the table. I will identify the items to be deferred and then ask for comments from the audience. If you want to change any of the deferral dates recommended or speak to the question of deferring these or any other items, you should say so at this time. I will now open the public hearing. The following items are proposed to be deferred.

- a. **TR06-098. Tree Removal Permit** to remove one Monterey Pine, approximately tree 67 inches in circumference, on a 0.13 gross acre site in the R-1-8 Single-Family Residence Zoning District, located on the south side of Fuller Avenue, approximately 100 feet east of Bird Avenue (574 Fuller Avenue) (Longinetti Robert L Trustee, Owner). Council District 6. CEQA: Exempt. **Defer to 9/27/06.**
- b. **PDA05-037-01. This is a Planned Development Permit Amendment** to allow architectural modifications, paving material changes, and the street naming of a previously approved Planned Development Permit that allowed up to 5 single family detached and attached residences on a 0.46 gross acre site in the A(PD) Planned Development Zoning District, located on the south east terminus of Duckett Way, approximately 315 feet east of South De Anza Boulevard (Richard Sowe, Owner). Council District 1. CEQA: Addendum to Negative Declaration. **Defer to 10/11/06.**

**The matter of deferrals is now closed.**

#### **2. CONSENT CALENDAR**

##### **NOTICE TO THE PUBLIC**

The consent calendar items are considered to be routine and will be adopted by one motion. There will be no separate discussion of these items unless a request is made by the Director of Planning, staff, or the public to have an item removed from the consent calendar and considered separately. If anyone in the audience wishes to speak on one of these items, please come to the podium at this time.

- a. **SP06-038. Special Use Permit** to allow an existing accessory structure containing 318 square feet for a legal non-conforming single-family residence on a 0.09 gross acre site in the CN Neighborhood Commercial Zoning District, located on the west side of South 2nd Street, approximately 150 feet northerly of Martha Street (891 S. 2<sup>nd</sup> Street) (Serratos Jose F, Owner). Council District 3. SNI: Spartan/Keyes. CEQA: Exempt.
- b. **TR06-109. Tree Removal Permit** for one Fern Pine tree approximately 64 inches in circumference on a 0.15 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at 1387 Pine Avenue (Momsen Magnus And Dorian, Owner). Council District 6. CEQA: Exempt.

- c. **TR06-138. Tree Removal Permit** request to allow removal of two Monterey Pine trees, approximately 63 inches and 83 inches in circumference, on a 0.28 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at 2126 Ardis Drive (Isensee James C And Maryanne, Owner). Council District 6. CEQA: Exempt.
- d. **TR06-135. Tree Removal Permit** to remove one Magnolia tree (64 inches in circumference) on a 0.13 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at 1182 Lennon Way (Jones Rebecca S Trustee, Owner). Council District 6. CEQA: Exempt.
- e. **TR06-133. Tree Removal Permit** to remove one Sequoia Redwood 80 inches in circumference in the side yard of an existing single-family residence in the R-1-8(PD) Planned Development Zoning District, located at 5072 New England Court (Pericic Robert D And Rosemary R, Owners). Council District 10. CEQA: Exempt.
- f. **PDA92-004-01. This is a Planned Development Permit Amendment** to allow a 9,000 gallon nitrogen tank appurtenant to existing buildings utilized for research and development purposes on a 32.18 gross acre site in the A(PD) Planned Development Zoning District, located on the East side of Yerba Buena Road, approximately 600 feet south of Verona Road (3403 Yerba Buena Road) (Hitachi Global Storage Technologies, Owner). Council District: 8. CEQA: Exempt.
- g. **HA03-068-01. Site Development Permit Amendment** to install a 1500-gallon liquid argon tank on a 160 square foot concrete pad on a 2.36 gross acre site in the HI Heavy Industrial Zoning District, located at/on the east side of Rogers Avenue between Brokaw Road and Junction Avenue (1760 ROGERS AV) (City Development Co, Owner). Council District 4. SNI: None. CEQA: Exempt.

**The consent calendar is now closed.**

### **3. PUBLIC HEARING**

- a. **T05-114. Tentative Map Permit** to consolidate 9 parcels into 5 lots for commercial uses on a 6.0 gross acres site in the CN Commercial Neighborhood Zoning District, located at/on the east side of Monterey Road between Tully Road (at Curtner Avenue) and Tully Road (near Healy Avenue) (2300 Monterey Rd) (Canned Foods Inc, Peter Read, Owner). Council District 7. SNI: None. CEQA: Exempt. **Deferred from 9/13/06.**
- b. The projects being considered are located at/on east side of S. 10<sup>th</sup> Street approximately 300 feet south of Needles Drive (1860 S. 10<sup>th</sup> ST), in the LI Light Industrial Zoning District (NGUYEN DUNG HOAI AND LISA K ET AL, Owners). Council District 7. SNI: None. CEQA: Exempt.
  - 1. **SP06-042. Special Use Permit** to allow Industrial Condominium uses (23 units) on a 5.42 gross acres site.
  - 2. **T06-052. Tentative Map Permit** to subdivide 1 parcel into 23 lots for Industrial Condominium uses on a 5.42 gross acres site.

- c. **SF06-038. Single Family House Permit** to allow demolition of an existing single-family residence and construction of a new 5,472 square foot single-family residence with 0.48 Floor Area Ratio on a 0.24 gross acre site in the R-1-8 Single-Family Residence Zoning District, located on the south side of Nevada Avenue approximately 450 feet east of Newport Avenue (1154 NEVADA AVE) (Jensen Jack Lee And Nikki Gaylynn, Owner). Council District 6. SNI: None. CEQA: Exempt.

**This concludes the Planning Director's Hearing for September 20, 2006. Thank you.**

PLANNING DIRECTOR'S AGENDA ON THE WEB:

<http://www.sanjoseca.gov/planning/hearings/default.asp>

PUBLIC INFORMATION COUNTER

(408) 535-7800 CITY OF SAN JOSE